

रजिस्टर्ड नं० पी० ६७



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, १६ जनवरी, १९६६/२६ पौष, १८८७

GOVERNMENT OF HIMACHAL PRADESH

INDUSTRIES DEPARTMENT

NOTIFICATION

Simla-4, the 22nd October, 1965

No. 2-13/64-Ind-II.—In exercise of the powers conferred by section 46 of the Punjab State Aid to Industries Act, 1935 as in force in the Union territory of Himachal Pradesh, the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to make the following amendments in the Himachal Pradesh State Aid to Industries Rules, 1958, the same having been previously published vide notification No. I&S.15(Loan)250/58-II, dated the 24th June, 1965 in the Himachal Pradesh Rajpatra, dated the 3rd July, 1965:—

AMENDMENTS

In the said Rules,

1. The words 'Territorial Council, Himachal Pradesh' and 'Himachal Pradesh Territorial Council' wherever these occur in the Rules and the forms appended thereto shall be substituted by the words 'Legislative Assembly, Himachal Pradesh'.

2. The words 'Himachal Pradesh Administration' wherever these occur in the Rules and the forms prescribed thereunder shall be substituted by the words 'Himachal Pradesh Government'.

3. For rule 4, the following rule shall be substituted, namely:—

"4. *Delegation of powers.*—A loan may be granted to any person, firm or company by the authorities enumerated below and to the extent mentioned against each:—

	Rs.
(i) Secretary (Industries), Himachal Pradesh Government.	25,000
(ii) The Director of Industries, Himachal Pradesh	20,000
(iii) The Deputy Director of Industries, Himachal Pradesh	10,000
(iv) The Project Executive Officer, Rural Industries Project, Mahasu, Himachal Pradesh.	10,000
(v) A District Industries Officer of District in Himachal Pradesh or/and Assistant District Industries Officer.	5,000

A list of individuals or firms or companies to whom loans have been granted by the aforesaid authorities shall be placed by the Director of Industries, Himachal Pradesh, before the Board of Industries, for its information at its meeting following the grant, if the members of the Board so desire."

4. In rule 6—

(a) in clause (e)—

(i) for the word and figure 'Rs. 5,000' the word and figure '10,000' shall be substituted;

(ii) for the words 'Director of Industries, Himachal Pradesh' the words 'authority sanctioning the loan' shall be substituted;

(b) in clause (f) for the word and figure 'Rs. 5,000' the word and figure 'Rs. 25,000' shall be substituted;

(c) in clause (h) for the words 'Director of Industries, Himachal Pradesh/ District Industries Officer of the district concerned or the Assistant District Industries Officer, Bilaspur' the words 'authority sanctioning the loan' shall be substituted.

5. For sub-clauses (ii) and (iii) of clause (2) of rule 9, the following sub-clauses shall be substituted, namely:—

"(ii) for land in urban areas, Tehsildar, Secretary, Municipal Committee/Small Town Committee/Notified Area Committee;

(iii) for land and buildings in rural areas, Tehsildar, Block Overseer, Block Development Officer and District Industries Officer."

6. For rule 11, the following rule shall be substituted, namely:—

"The interest shall be payable yearly provided that for sufficient reasons, the yearly payment of interest in any case may be postponed at the discretion of the Director of Industries for a period of one year at a time. The interest so postponed shall not bear any interest unless specifically required by an order of the Director of Industries to be added to the amount of original loan, in which case it shall bear the same interest as is charged on the principal amount and shall be recoverable in the same manner as if it had been a part of the original loan :

Provided that in the case of default in payment of interest with or without sanction for postponement of payment by the Director of Industries accorded prior to the date on which the instalments fall due, the interest so remaining in default shall be considered added to the amount on the original loan and shall bear the same interest as is

charged on the principal amount.”

7. For rule 12, the following rule shall be substituted, namely:—

“12. The period of complete repayment of the loan with interest due thereon, shall ordinarily be 9 years which in the case of loan below Rs. 25,000 may on sufficient grounds be extended by the Director of Industries on the written request of the borrowers upto a maximum period of 11 (eleven) years. In the case of loans of Rs. 25,000 or over, however, extension beyond 9 years shall not be allowed except with the previous permission of the State Government. The recovery shall ordinarily start on the expiry of two years from the date of the payment of the loan and shall be made in 7 yearly equal instalments.”

8. In rule 13 for the words “ten years” the words “eleven years” shall be substituted.

9. The existing rules 28 and 29 shall be deleted.

10. After rule 35 the following rules 36, 37 and 38 shall be added, namely:—

“36. Subsidy in the case of cottage or village industry shall be granted for any of the following purposes to the maximum of Rs. 2,000 in the case of individual industry:—

- (a) Purchase of land and construction of Factory buildings, godowns, walls, ware-houses, tanks and other works required for the industry.
- (b) Purchase and erection of machinery, plant and appliances.
- (c) Purchase of tools and equipments.
- (d) Purchase of raw material.
- (e) For utilisation as working capital.
- (f) For grant on favourable terms of the services of experts or Government officials or such managerial staff as is considered necessary by the Director of Industries.

37. In the case of small scale industries subsidy shall be payable for the purchase of machinery only; provided that the grant shall not exceed Rs. 5,000 in the case of any individual industry:

Provided further that the Director of Industries shall have the discretion to recover the subsidy so granted if in his opinion the industry has failed to establish or to run economically and profitably not earning less than 10% of dividend on paid-up capital within 5 years of the grant of the subsidy, in such instalments as considered suitable within two years of the Director of Industries making the declaration of the recovery.

38. No subsidy for conduct of research shall exceed 40% of the cost thereof and no subsidy for any other purposes shall exceed 50% of the cost thereof.”

11. For Form ‘A’ the following Form ‘A’ shall be substituted, namely:—

“FORM ‘A’

INDUSTRIES DEPARTMENT, HIMACHAL PRADESH

Form of application for loan by an Individual or Joint Hindu Family concern or Firm (not being a company within the meaning of the Companies Act, 1956) under the Punjab State Aid to Industries Act, 1935 as in force in Himachal Pradesh.

To

The Director of Industries, Himachal Pradesh, Simla.

The Project Executive Officer, Rural Industries Project, Mahasu.

The District Industries Officer/Assistant District Industries Officer, Bilaspur (H.P.).

Dear Sir,

I/We..... beg to apply for a loan of Rs.....
(Rupees.....) for the establishment/development of.....
Industry/Industries, under the Punjab State Aid to Industries (Himachal Pradesh Amendment) Act, 1964.

The required particulars are given below:—

- (1) Name, residence or in the case of a firm the style of the applicant's concern along with principal place of business and location.
- (2) Whether sole Proprietorship/Joint Hindu Family/Partnership/Company/Co-operative Society.
- (3) Amount of loan required.
- (4) Purpose for which the loan is required.
- (5) Amount to be invested by the applicant from his own resources.
- (6) (i) Number of instalments.
(ii) Date on which it is proposed that the first instalment should be due.
- (iii) Amount of each instalment.
- (7) *Nature and particulars of security offered with area and name of owner(s) in case of land.
- (8) Name, parentage and residence of sureties (if any).
- (9) Nature and particulars of securities offered by the sureties.

*I/We declare that the statements made and the particulars given above are to the best of my knowledge and belief true and that to the best of my knowledge and belief there are no encumbrances other than those mentioned above on the land or other property offered as security for the loan applied for.

Signature of surety.

Signature of applicant.

Date.....

Date.....

N.B.—(1) *If the security offered is land or other immovable property, sufficient particulars should be given to enable the land or other property to be easily identified; the nature and extent of any encumbrances on the land or other property should also be stated.

(2) The application for the loan shall also contain information on the points as required by rule 3 of the Rules issued under section 46 of the Punjab State Aid to Industries Act.

(3) If the security consists of immovable property, the application should be accompanied by complete plan. In case of machinery sufficient particulars of its name, maker, etc., should be given for purpose of identification.

(4) In case of land reference should be made to any finally published record of right.

ACKNOWLEDGEMENT RECEIPT

Received from.....an application for the grant of a loan of Rs.....for the establishment/development of....., on.....196 . The application has been registered under Dy. No.....which may please be quoted in all future correspondence to facilitate reference.

District Industries Officer/Assistant District Industries Officer, Bilaspur (H.P.).

Project Executive Officer, Rural Industries
Project, Mahasu/
Director of Industries."

12. In forms E, F, J and K for sub-clauses (i) and (ii) the following sub-clauses (i) and (ii) shall be substituted namely:—

"(i) if the mortgagor/principal shall pay the said sum of Rs.....
by the following instalments:—

First instalment of Rs.....on the....day of.....19 .
Second instalment of Rs.....on the....day of.....19 .
Third instalment of Rs.....on the....day of.....19 .
Fourth instalment of Rs.....on the....day of.....19 .
Fifth instalment of Rs.....on the....day of.....19 .
Sixth instalment of Rs.....on the....day of.....19 .
Seventh instalment of Rs.....on the....day of.....19 .
until the whole sum due shall be paid and shall with each such
instalment pay interest at the rate aforesaid on the amounts remain-
ing due immediately before such payment, then subject to the
terms and conditions hereinafter contained. Himachal Pradesh
Government will accept payment of the said sum of Rs.....
by such instalments and will not take any steps to obtain payment
of the said sum of Rs.....by auction, sale, possession, realisa-
tion of security hereby conveyed or otherwise.

(ii) It shall be lawful for the Director of Industries, Himachal Pradesh
at his sole discretion and at the request of the mortgagor to extend
this date by a period not exceeding two years."

13. In forms E, F, J, L and M and the words 'Secretary (Industries)' shall
be added before the words 'Director of Industries' and the words 'Deputy
Director of Industries/Project Executive Officer, Rural Industries Project'
shall be added after the words 'Director of Industries' at the following
places:—

"FORM 'E'

- (i) In the paras beginning with the words 'And Secondly, the President
of India through 'and' AND WHEREAS the Mortgagor has applied'.
- (ii) At the foot of the form where the words 'Signed on behalf of the
President of India' occur.

FORM 'F'

- (i) In the paras beginning with the words 'And Thirdly the President of
India, through 'and' AND WHEREAS the Mortgagor has applied under
section 19 of the Punjab State Aid to Industries Act, 1935 as modi-
fied and applied to Himachal Pradesh to the'.
- (ii) At the foot of the form where the words 'Signed on behalf of the
Lieutenant Governor, Himachal Pradesh' occur.

FORM 'J'

- (i) In paras beginning with the words 'And Thirdly, the President of
India, through the 'and' 'And the Director of Industries'.
- (ii) At the foot of the form after the words 'Director of Industries'.

FORM 'L'

- (i) (Appended to the Himachal Pradesh State Aid to Industries Rules,
1958 vide Industries Department notification of even number,
dated the 5th November, 1962).

In the preamble beginning with the words 'Whereas Shri/Sarvshri' and in clause 4.

FORM 'M'

(Appended to the Himachal Pradesh State Aid to Industries Rules, 1958 vide Industries Department notification of even number dated, November 5, 1962).

In the preamble beginning with the words 'Whereas I/We,.'

14. The amendments made above will have prospective effect and will not apply to the loans granted prior to this date which will continue to be governed by the Rules as if these amendments have not been made therein.

By order,
P. K. MATTOO,
Secretary.